IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

SECOND APPEAL NO. 280 OF 2006
(Meerabai Tulsiram Jambulkar .v. Sarubai Rajaram Jambulkar and others)

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Shri S.H. Quazi, Advocate for the appellant.

CORAM : C.L. PANGARKAR, J.
19TH DECEMBER, 2007

Heard.

The suit was instituted by one Sarubai who had allegedly become the owner of the suit property in the year 1972. She filed a suit for possession against her two sons. One of her sons died and his wife Meerabai is the present appellant. The Courts below have held that Sarubai was the owner of the property and, therefore, they decreed the suit.

Learned Counsel for the appellant submits that the suit itself was barred by limitation since Sarubai did not claim possession from 1972 for the period of 30 years. He, therefore, submits that the suit was barred by limitation.

The submission made by the learned Counsel for the appellant has no force. It appears from the records of learned lower Courts that no plea of adverse

possession was raised and such plea having not been raised, there is no question of limitation. There is no substantial question of law involved in the appeal.

The appeal is dismissed in limine.

JUDGE

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